2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Subsidiary Body I: revised Chair's draft action plan

In pursuit of the full effective and urgent implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and paragraphs 3 and 4 (c) of the 1995 decision on principles and objectives for nuclear non-proliferation and disarmament, and building upon the practical steps agreed to in the Final Document of the 2000 Review Conference, the Conference agrees on the following action plan on nuclear disarmament, which includes concrete steps for the total elimination of nuclear weapons:

I. Principles and objectives

The Conference resolves to seek a safer world for all and to achieve the peace and security of a world without nuclear weapons, in accordance with the objectives of the Treaty.

The Conference reaffirms the unequivocal undertaking of the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all States parties are committed under article VI.

The Conference reaffirms the continued validity of the practical steps agreed to in the Final Document of the 2000 Review Conference.

The Conference reaffirms that steps by all the nuclear-weapon States leading to nuclear disarmament should promote international stability, peace and security, and be based on the principle of undiminished security for all.

The Conference expresses its deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons, and reaffirms the need for all States to comply with international humanitarian law at all times.

The Conference reaffirms that the ultimate objective of the efforts of States in the disarmament process is general and complete disarmament under strict and effective international control.

The Conference affirms the vital importance of universality of the Treaty on the Non-Proliferation of Nuclear Weapons and calls on all States not party to the Treaty to accede as non-nuclear-weapon States to the Treaty promptly and without any conditions, and to commit to achieving the complete elimination of all nuclear

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weapons, and encourages States to promote universal adherence to the Treaty, and not to undertake any actions that can negatively affect prospects for the universality of the Treaty.

The Conference resolves that:

- Action 1: All States commit to pursue policies that are fully compatible with the Treaty and the objective of achieving a world without nuclear weapons.
- Action 2: All States commit to apply the principles of irreversibility, verifiability, accountability and transparency to nuclear disarmament, nuclear and other related arms control and reduction measures.

II. Disarmament of nuclear weapons

The Conference reaffirms the urgent need for the nuclear-weapon States to implement the steps leading to nuclear disarmament agreed to in the Final Document of the 2000 Review Conference, in a way that promotes international stability, peace and security, and based on the principle of undiminished security for all.

The Conference affirms the need for the nuclear-weapon States to reduce and eliminate all types of their nuclear weapons and encourages in particular those States with the largest nuclear arsenals to lead efforts in this regard, and recognizes that nuclear disarmament is fundamental for international peace and security and that the enhancement of international peace and security and nuclear disarmament are mutually reinforcing.

The Conference calls on all States possessing nuclear weapons to join concrete disarmament efforts and affirms that all States, and in particular all States possessing nuclear weapons, need to make special efforts to establish the necessary framework to achieve and maintain a world without nuclear weapons. The five-point proposal for nuclear disarmament of the Secretary-General, which proposes, inter alia, consideration of negotiations on a nuclear-weapons convention or agreement on a framework of separate, mutually reinforcing instruments, backed by a strong system of verification, contributes towards this goal.

The Conference resolves that:

- Action 3: In implementing the unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals, the nuclear-weapon States commit to undertake further efforts to verifiably reduce all types of nuclear weapons, deployed and non-deployed, as well as their nuclear-weapon-related materials, including through unilateral, bilateral, regional and multilateral measures.
- Action 4: The Russian Federation and the United States of America commit to seek the early entry into force and full implementation of the Treaty on Measures for the Further Reduction and Limitation of Strategic Offensive Arms and are encouraged to continue discussions on follow-on measures in order to achieve deeper reductions in their nuclear arsenals.

- Action 5: The nuclear-weapon States commit to cease the development and qualitative improvement of nuclear weapons and to end the development of advanced new types of nuclear weapons.

- Action 6: The nuclear-weapon States commit to accelerate concrete progress on the steps leading to nuclear disarmament contained in the Final Document of the 2000 Review Conference, in a way that promotes international stability, peace and security and is based on the principle of undiminished security for all. To this end, they are called upon to convene timely consultations, which should, inter alia, aim to:

  (a) Rapidly pursue an overall reduction in the global stockpile of all types of nuclear weapons, as identified in Action 3;

  (b) Address the question of all types of nuclear weapons and related infrastructure stationed on the territories of non-nuclear-weapon States;

  (c) Further diminish the role and significance of nuclear weapons in all military and security concepts, doctrines and policies;

  (d) Discuss declaratory policies, including pledges of mutual no-first-use of nuclear weapons, that could — as an interim measure pending the total elimination of nuclear weapons — minimize the use or threat of use of nuclear weapons, lessen the danger of nuclear war and contribute to the non-proliferation and disarmament of nuclear weapons;

  (e) Consider further reducing the operational status of nuclear weapons systems in ways that promote international stability, peace and security;

  (f) Reduce the risk of accidental or unauthorized use of nuclear weapons;

  (g) Further enhance transparency and increase mutual confidence.

The nuclear-weapon States are called upon to report back to States parties on their consultations within the upcoming review cycle (2010-2015). Based, inter alia, on the outcome of these consultations, the Secretary-General is invited to convene an open-ended high-level meeting to take stock and agree on a road map for the complete elimination of nuclear weapons, including by means of a universal, legal instrument.

- Action 7: All States agree that the Conference on Disarmament should immediately establish an appropriate subsidiary body with a mandate to deal with nuclear disarmament, within the context of an agreed, comprehensive and balanced programme of work.

III. Security assurances

The Conference reaffirms and recognizes that the total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons, and that unconditional and legally binding security assurances by the nuclear-weapon States to the non-nuclear-weapon States strengthen the nuclear non-proliferation regime.

The Conference affirms the legitimate interest of non-nuclear-weapon States in receiving security assurances and recalls in this respect Security Council resolution 984 (1995), noting the unilateral statements by each of the nuclear-weapon States, in which they give conditional or unconditional security assurances against the use and the threat of use of nuclear weapons to non-nuclear-weapon States parties to the Treaty.

The Conference resolves that:

- Action 8: All States agree that the Conference on Disarmament should, within the context of an agreed, comprehensive and balanced programme of work, immediately begin discussion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, to discuss substantively, without limitation, with a view to elaborating recommendations dealing with all aspects of this issue, not excluding an internationally legally binding instrument. The Conference notes the intention of the Secretary-General to convene a high-level meeting in September 2010 in support of the work of the Conference on Disarmament. If the discussions in the Conference on Disarmament do not commence before the end of the 2011 session of the Conference, the General Assembly is encouraged to examine, at its sixty-sixth session, how discussions should be pursued.

- Action 9: Pending the conclusion of multilaterally negotiated legally binding security assurances for all non-nuclear-weapon States, all nuclear-weapon States commit to fully respect their existing commitments with regard to security assurances, and those nuclear-weapon States that have not yet done so are encouraged to extend these to non-nuclear-weapon States parties to the Treaty.

- Action 10: The establishment of further nuclear-weapon-free zones, where appropriate, on the basis of arrangements freely arrived at among States of the region concerned, and, in accordance with the 1999 guidelines of the United Nations Disarmament Commission, is encouraged. All concerned States are encouraged to ratify the nuclear-weapon-free-zone treaties and to constructively consult and cooperate to bring about the entry into force of the relevant legally binding protocols of all such nuclear-weapon-free-zone treaties, which include negative security assurances. The concerned States are encouraged to withdraw any related reservations or unilateral interpretative declarations that are incompatible with the object and purpose of such treaties.

IV. Nuclear testing

The Conference reaffirms the commitment of all States, in particular the nuclear-weapon States, to end all nuclear-weapon test explosions or any other nuclear explosions and to constrain the development and qualitative improvement of nuclear weapons, and to end the development of advanced new types of nuclear weapons.

The Conference reaffirms the vital importance and urgency of the entry into force and universalization of the Comprehensive Nuclear-Test-Ban Treaty as a core element of the international nuclear disarmament and non-proliferation regime, as

well as the determination of the nuclear-weapon States to abide by their respective moratoriums on nuclear-test explosions pending the entry into force of the Treaty.

The Conference resolves that:

- Action 11: All States that have not yet done so are called upon to sign and ratify the Comprehensive Nuclear-Test-Ban Treaty without delay, bearing in mind the potential beneficial impact of ratification by nuclear-weapon States that have not yet done so in encouraging annex 2 States to sign and ratify.
- Action 12: Pending the entry into force of the Treaty, all States commit to refrain from nuclear-weapon test explosions or any other nuclear explosions and from any action that would defeat the object and purpose of the Treaty, and all existing moratoriums on nuclear-weapon-test explosions should be maintained.
- Action 13: All States recognize the contribution of the Conferences on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty and of the measures adopted by consensus at the September 2009 Conference, and signatories to the Treaty commit to report at the 2011 Conference on progress made towards the urgent entry into force of the Treaty.
- Action 14: All States that are signatories to the Treaty are encouraged to promote the entry into force and implementation of the Treaty at the national, regional and global levels.
- Action 15: All States that are signatories to the Comprehensive Nuclear-Test-Ban Treaty are encouraged to fully develop the Treaty verification regime, including the early completion and provisional operationalization of the international monitoring system in accordance with the mandate of the Preparatory Commission of the Comprehensive Nuclear-Test-Ban Treaty Organization, which should, upon the entry into force of the Treaty, serve as an effective, reliable, participatory and non-discriminatory verification system with global reach and provide assurance of compliance with the Treaty.
- Action 16: All States that have not yet done so are encouraged to initiate a process towards the closing and dismantling, as soon as feasible and in an irreversible and verifiable manner, of any remaining sites for nuclear test explosions and their associated infrastructure.

V. Fissile materials

The Conference reaffirms the urgent necessity of negotiating and bringing to a conclusion a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices.

The Conference resolves that:

- Action 17: All States agree that the Conference on Disarmament should, within the context of an agreed, comprehensive and balanced programme of work, immediately begin negotiation of a treaty banning the production of fissile material for use in nuclear weapons or other nuclear explosive devices in accordance with the report of the Special Coordinator of 1995 (CD/1299) and

the mandate contained therein. The Conference notes the intention of the Secretary-General to convene a high-level meeting in September 2010 in support of the work of the Conference on Disarmament. If negotiations do not commence before the end of the 2011 session of the Conference on Disarmament, the General Assembly is encouraged to examine, at its sixty-sixth session, how negotiations should be pursued.

- Action 18: All States recognize that a global moratorium on the production of fissile material for use in nuclear weapons or other nuclear explosive devices constitutes an important contribution to achieving the goals of the Treaty, and all nuclear-weapon States should therefore uphold or consider declaring a moratorium, pending the conclusion and entry into force of a treaty banning the production of fissile material for use in nuclear weapons or other nuclear explosive devices.

- Action 19: The nuclear-weapon States commit to declare to the International Atomic Energy Agency (IAEA) all fissile material designated by each of them as no longer required for military purposes and to place such material as soon as practicable under IAEA or other relevant international verification and arrangements for the disposition of such material for peaceful purposes, to ensure that such material remains permanently outside military programmes.

- Action 20: All States are encouraged to support the development of appropriate legally binding verification arrangements, within the context of IAEA, to ensure the irreversible removal of fissile material from nuclear weapons or other nuclear explosive devices worldwide.

- Action 21: All States that have not yet done so are encouraged to initiate a process towards the dismantling or conversion for peaceful uses of facilities for the production of fissile material for use in nuclear weapons or other nuclear explosive devices.

VI. Other measures in support of nuclear disarmament

The Conference recognizes that nuclear disarmament and achieving the peace and security of a world without nuclear weapons will require openness and cooperation, and affirms the importance of enhanced confidence through increased transparency and effective verification.

The Conference resolves that:

- Action 22: All States agree on the importance of supporting cooperation among Governments, the United Nations, other international and regional organizations and civil society aimed at increasing confidence, improving transparency and developing efficient verification capabilities related to nuclear disarmament.

- Action 23: States parties should submit regular reports, within the framework of the strengthened review process for the Treaty, on the implementation of this action plan, as well as of article VI, paragraph 4 (c), of the 1995 decision on principles and objectives for nuclear non-proliferation and disarmament, and the practical steps agreed to in the Final Document of the 2000 Review Conference, and recalling the advisory opinion of the International Court of

Justice of 8 July 1996. In particular, nuclear-weapon States commit to regularly provide information, preferably in a standardized form, with regard to their nuclear arsenals, including information on the size and composition of their nuclear arsenals, as well as stocks of fissile material for use in nuclear weapons. The Secretary-General is invited to make this information publicly available.

- Action 24: All States are encouraged to implement the recommendations contained in the report of the Secretary-General (A/57/124) regarding the United Nations study on disarmament and non-proliferation education, as a useful and effective means to advance the goals of the Treaty in support of achieving a world without nuclear weapons.